

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 03/13371

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07C257/10 C07C257/12 C07C335/16 C07C335/18 C07C335/20
A01N37/52 A01N47/28 A01N47/40

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07C A01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 177 106 A (CREGER PAUL L) 5 January 1993 (1993-01-05) Column 2, l. 36-52 and column 8, l. 45-65 ---	1-5
X	WO 00 06555 A (AMERICAN HOME PROD) 10 February 2000 (2000-02-10) page 6; claims 1,7; example 4 ---	1-5
Y	US 3 284 289 A (HANS AEBI ET AL) 8 November 1966 (1966-11-08) column 2, line 8 - line 20; claim 1; examples 3-6; table 1 --- -/--	1-10

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *A* document member of the same patent family

Date of the actual completion of the international search

22 August 2003

Date of mailing of the international search report

04/09/2003

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 20 29 298 A (FARBENFABRIKEN BAYER AG) 23 December 1971 (1971-12-23) page 4, l. 32-34; claims 1, 2	1-5
Y	page 45, l. 20 to page 46, l. 16; pages 24, 31, 32; claims 1, 2 & US 4 018 814 A 19 April 1977 (1977-04-19) cited in the application ----	1-10
Y	DE 21 13 978 A (HOECHST AG) 12 October 1972 (1972-10-12) the whole document ----	1-10
Y	DE 22 59 221 A (CIBA GEIGY AG) 20 June 1973 (1973-06-20) the whole document ----	1-10
Y	WO 00 46184 A (HOECHST SCHERING AGREVO GMBH ;ATHERALL JOHN FREDERICK (GB); HOUGH) 10 August 2000 (2000-08-10) cited in the application claims 1,16,21,22; table 1 ----	1-10
Y	DE 27 55 549 A (CIBA GEIGY AG) 22 June 1978 (1978-06-22) page 6, line 4-38; example 7; table 1 -----	1-10

FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

Continuation of Box I.2

Claims Nos.: 1-10 all partially

Present claims 1-10 relate to an extremely large number of possible compounds/compositions and uses thereof. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the compounds claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the compounds of formula (I) of claim 1 with the following limitations:

- R1 is H, SH, Methyl and C2-C5 alkoxy carbonyl;
- R2, R3 are independently H, C1-C10 alkyl, C2-C10 alkenyl, C2-C10 alkynyl, cyclopropyl or R2 and R3 taken together are -CH₂CH₂nCH₂- wherein n is 0 to 5;
- R4 to R10, R12 according to their respective definitions given in claim 1; R11 according to claim 2.

It is stressed that expressions like "carbocycle", "membered heterocycle", "optionally substituted", "heterocyclic ring containing 3 to 7 atoms....and optionally one or two additional atoms" etc.. present in the claims are speculative, embracing a great variety of structural possibilities not yet explored by the Applicant, the effect of which cannot be foreseen having regard to the problem to be solved. Such expressions render a complete search impossible.

It is also pointed out that the search as limited above includes the compounds of examples 1-7 and of index tables A-D as far as these compounds are comprised by the scope of claim 1. Consequently compounds 16, 17, 41 and 165 have not been covered by the limited search.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-10 all partially
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

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